



5780-01-RG

#9/c
10-10-01

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : SUN

EXAMINER : H. Robinson

SERIAL NO. : 09/508/147

ART UNIT : 1653

FILED : March 7, 2000

PAPER NO. : 8

FOR : P53CP, A Protein That Specifically Binds To The Concensus P53 DNA Binding Site.

Response to Restriction Requirement Under 35 U.S.C. 121 and 372

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated June 28, 2001 (Paper Number 7) in which Restriction was required under 35 U.S.C. 121.

The Examiner has required that Applicant restrict the claims of this application to one of the following inventions:

Group I, claim 1, drawn to a protein; and

Group II, claim(s) 2-4, drawn to DNA.

The Applicant hereby elects Group II for prosecution on the merits. As such, Applicant hereby withdraw from prosecution the claim directed to Group I, without prejudice, and reserve the right to file a Divisional application(s) to the non-elected claims.

The Applicant submits that this application is now in condition for allowance, which allowance is respectfully solicited.

Respectfully submitted,

Dated: 9/27/01

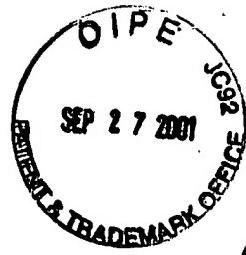
Rosanne Goodman
Rosanne Goodman, Ph.D., Esq.
Registration No. 32,534
Warner-Lambert Company
2800 Plymouth Road
Ann Arbor, MI 48105
Telephone: (734) 622-4182
Facsimile: (734) 622-1553

RECEIVED

OCT 03 2001

TECH CENTER 1600/2900

EXPRESS MAIL NO. ET401306230US
PD-5780-01-RG



Please type a plus sign (+) inside this box →

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

GP 1653

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number	09/508,147
Filing Date	03/07/2000
First Named Inventor	Yi Sun
Group Art Unit	1653
Examiner Name	H. Robinson
Attorney Docket Number	5780-01-RG

+ TECH CENTER 1600/2900
OCT 03 2001

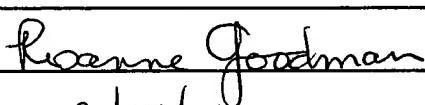
EXPRESS MAIL NO. ET401306230US
PD-5780-01-RG

RECEIVED

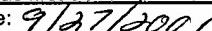
ENCLOSURES (check all that apply)

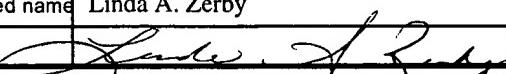
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Associate Power of Attorney Certificate of Express Mail Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Rosanne Goodman, Ph.D.
Signature	
Date	9/27/01

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 

Typed or printed name	Linda A. Zerby
Signature	
Date	9/27/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 390.00)

Complete if Known

Application Number	09/508,147
Filing Date	03/07/2000
First Named Inventor	Sun
Examiner Name	H. Robinson
Group Art Unit	1653
Attorney Docket No.	5780-01-RG

TECH CENTER 6000
12000

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																	
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <input type="text" value="23-0455"/></p> <p>Deposit Account Name <input type="text" value="Warner-Lambert Company"/></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205 65 Surcharge - late filing fee or oath</td><td><input type="text"/></td></tr> <tr><td>127</td><td>50</td><td>227 25 Surcharge - late provisional filing fee or cover sheet</td><td><input type="text"/></td></tr> <tr><td>139</td><td>130</td><td>139 130 Non-English specification</td><td><input type="text"/></td></tr> <tr><td>147</td><td>2,520</td><td>147 2,520 For filing a request for ex parte reexamination</td><td><input type="text"/></td></tr> <tr><td>112</td><td>920*</td><td>112 920* Requesting publication of SIR prior to Examiner action</td><td><input type="text"/></td></tr> <tr><td>113</td><td>1,840*</td><td>113 1,840* Requesting publication of SIR after Examiner action</td><td><input type="text"/></td></tr> <tr><td>115</td><td>110</td><td>215 55 Extension for reply within first month</td><td><input type="text"/></td></tr> <tr><td>116</td><td>390</td><td>216 195 Extension for reply within second month</td><td><input type="text" value="390.00"/></td></tr> <tr><td>117</td><td>890</td><td>217 445 Extension for reply within third month</td><td><input type="text"/></td></tr> <tr><td>118</td><td>1,390</td><td>218 695 Extension for reply within fourth month</td><td><input type="text"/></td></tr> <tr><td>128</td><td>1,890</td><td>228 945 Extension for reply within fifth month</td><td><input type="text"/></td></tr> <tr><td>119</td><td>310</td><td>219 155 Notice of Appeal</td><td><input type="text"/></td></tr> <tr><td>120</td><td>310</td><td>220 155 Filing a brief in support of an appeal</td><td><input type="text"/></td></tr> <tr><td>121</td><td>270</td><td>221 135 Request for oral hearing</td><td><input type="text"/></td></tr> <tr><td>138</td><td>1,510</td><td>138 1,510 Petition to institute a public use proceeding</td><td><input type="text"/></td></tr> <tr><td>140</td><td>110</td><td>240 55 Petition to revive - unavoidable</td><td><input type="text"/></td></tr> <tr><td>141</td><td>1,240</td><td>241 620 Petition to revive - unintentional</td><td><input type="text"/></td></tr> <tr><td>142</td><td>1,240</td><td>242 620 Utility issue fee (or reissue)</td><td><input type="text"/></td></tr> <tr><td>143</td><td>440</td><td>243 220 Design issue fee</td><td><input type="text"/></td></tr> <tr><td>144</td><td>600</td><td>244 300 Plant issue fee</td><td><input type="text"/></td></tr> <tr><td>122</td><td>130</td><td>122 130 Petitions to the Commissioner</td><td><input type="text"/></td></tr> <tr><td>123</td><td>50</td><td>123 50 Processing fee under 37 CFR 1.17(q)</td><td><input type="text"/></td></tr> <tr><td>126</td><td>180</td><td>126 180 Submission of Information Disclosure Stmt</td><td><input type="text"/></td></tr> <tr><td>581</td><td>40</td><td>581 40 Recording each patent assignment per property (times number of properties)</td><td><input type="text"/></td></tr> <tr><td>146</td><td>710</td><td>246 355 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td><input type="text"/></td></tr> <tr><td>149</td><td>710</td><td>249 355 For each additional invention to be examined (37 CFR § 1.129(b))</td><td><input type="text"/></td></tr> <tr><td>179</td><td>710</td><td>279 355 Request for Continued Examination (RCE)</td><td><input type="text"/></td></tr> <tr><td>169</td><td>900</td><td>169 900 Request for expedited examination of a design application</td><td><input type="text"/></td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$ 390.00)</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205 65 Surcharge - late filing fee or oath	<input type="text"/>	127	50	227 25 Surcharge - late provisional filing fee or cover sheet	<input type="text"/>	139	130	139 130 Non-English specification	<input type="text"/>	147	2,520	147 2,520 For filing a request for ex parte reexamination	<input type="text"/>	112	920*	112 920* Requesting publication of SIR prior to Examiner action	<input type="text"/>	113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	<input type="text"/>	115	110	215 55 Extension for reply within first month	<input type="text"/>	116	390	216 195 Extension for reply within second month	<input type="text" value="390.00"/>	117	890	217 445 Extension for reply within third month	<input type="text"/>	118	1,390	218 695 Extension for reply within fourth month	<input type="text"/>	128	1,890	228 945 Extension for reply within fifth month	<input type="text"/>	119	310	219 155 Notice of Appeal	<input type="text"/>	120	310	220 155 Filing a brief in support of an appeal	<input type="text"/>	121	270	221 135 Request for oral hearing	<input type="text"/>	138	1,510	138 1,510 Petition to institute a public use proceeding	<input type="text"/>	140	110	240 55 Petition to revive - unavoidable	<input type="text"/>	141	1,240	241 620 Petition to revive - unintentional	<input type="text"/>	142	1,240	242 620 Utility issue fee (or reissue)	<input type="text"/>	143	440	243 220 Design issue fee	<input type="text"/>	144	600	244 300 Plant issue fee	<input type="text"/>	122	130	122 130 Petitions to the Commissioner	<input type="text"/>	123	50	123 50 Processing fee under 37 CFR 1.17(q)	<input type="text"/>	126	180	126 180 Submission of Information Disclosure Stmt	<input type="text"/>	581	40	581 40 Recording each patent assignment per property (times number of properties)	<input type="text"/>	146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>	149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>	179	710	279 355 Request for Continued Examination (RCE)	<input type="text"/>	169	900	169 900 Request for expedited examination of a design application	<input type="text"/>	Other fee (specify) _____				*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 390.00)	
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																		
105	130	205 65 Surcharge - late filing fee or oath	<input type="text"/>																																																																																																																																		
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	<input type="text"/>																																																																																																																																		
139	130	139 130 Non-English specification	<input type="text"/>																																																																																																																																		
147	2,520	147 2,520 For filing a request for ex parte reexamination	<input type="text"/>																																																																																																																																		
112	920*	112 920* Requesting publication of SIR prior to Examiner action	<input type="text"/>																																																																																																																																		
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	<input type="text"/>																																																																																																																																		
115	110	215 55 Extension for reply within first month	<input type="text"/>																																																																																																																																		
116	390	216 195 Extension for reply within second month	<input type="text" value="390.00"/>																																																																																																																																		
117	890	217 445 Extension for reply within third month	<input type="text"/>																																																																																																																																		
118	1,390	218 695 Extension for reply within fourth month	<input type="text"/>																																																																																																																																		
128	1,890	228 945 Extension for reply within fifth month	<input type="text"/>																																																																																																																																		
119	310	219 155 Notice of Appeal	<input type="text"/>																																																																																																																																		
120	310	220 155 Filing a brief in support of an appeal	<input type="text"/>																																																																																																																																		
121	270	221 135 Request for oral hearing	<input type="text"/>																																																																																																																																		
138	1,510	138 1,510 Petition to institute a public use proceeding	<input type="text"/>																																																																																																																																		
140	110	240 55 Petition to revive - unavoidable	<input type="text"/>																																																																																																																																		
141	1,240	241 620 Petition to revive - unintentional	<input type="text"/>																																																																																																																																		
142	1,240	242 620 Utility issue fee (or reissue)	<input type="text"/>																																																																																																																																		
143	440	243 220 Design issue fee	<input type="text"/>																																																																																																																																		
144	600	244 300 Plant issue fee	<input type="text"/>																																																																																																																																		
122	130	122 130 Petitions to the Commissioner	<input type="text"/>																																																																																																																																		
123	50	123 50 Processing fee under 37 CFR 1.17(q)	<input type="text"/>																																																																																																																																		
126	180	126 180 Submission of Information Disclosure Stmt	<input type="text"/>																																																																																																																																		
581	40	581 40 Recording each patent assignment per property (times number of properties)	<input type="text"/>																																																																																																																																		
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>																																																																																																																																		
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>																																																																																																																																		
179	710	279 355 Request for Continued Examination (RCE)	<input type="text"/>																																																																																																																																		
169	900	169 900 Request for expedited examination of a design application	<input type="text"/>																																																																																																																																		
Other fee (specify) _____																																																																																																																																					
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 390.00)																																																																																																																																	
*or number previously paid, if greater; For Reissues, see above																																																																																																																																					

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Rosanne Goodman	Registration No. (Attorney/Agent)	32,534
Signature	<i>Rosanne Goodman</i>	Telephone	(734) 622-4182
		Date	09/27/2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

OCT 03 2001

RECEIVED
EXPRESS MAIL NO. ET401306230US
PD-5780-01-RG

RECEIVED

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Yi Sun

Docket No.

5780-01-RG

Serial No.
09/508,147Filing Date
7-Mar-2000Examiner
H. RobinsonGroup Art
1653

Invention:

P53CP, A Protein That Specifically Binds To The Concensus P53 DNA Binding Site.



I hereby certify that this

Response to Restriction Requirement Under 35 U.S.C. 121 and 372

(Identify type of correspondence)

Is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231on Sept. 27, 2000
(Date)

Linda A. Zerby

(Typed or Printed Name of Person Mailing Correspondence)

A handwritten signature of Linda A. Zerby, consisting of stylized initials and a surname.

ET401306230US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing